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C O N F I D E N T I A L SECTION 01 OF 02 LILONGWE 000484

SIPDIS

LONDON FOR AF WATCHER PETER LORD  
ADDIS ABABA FOR AU

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TAGS: [KDEM](#) [PGOV](#) [MI](#)

SUBJECT: MALAWI: GOM PUTS THE BRAKES ON PREPARATIONS FOR  
LOCAL ELECTIONS

REF: A. LILONGWE 266

[1](#)B. LILONGWE 283

LILONGWE 00000484 001.2 OF 002

Classified By: Deputy Chief of Mission Kevin K. Sullivan for reasons 1.  
4(b) and (d).

1.(C) SUMMARY: Malawi's Electoral Commission (EC) has halted preparations for Malawi's May 2010 local elections in response to directives from senior GOM officials. The Malawi Electoral Support Network (MESN) told Emboffs the group was gearing-up to pressure the GOM to allow elections to go forward. Malawi's constitution is clear that local elections must take place 12 months after parliamentary and presidential elections. President Mutharika's government canceled the last round of local elections in 2005 citing the demands of a severe drought, so the fate of next year's local polls will be an important indicator of the GOM's commitment to constitutional rule. End Summary.

GOM TELLS MEC TO STOP PREPARATIONS  
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[1](#)2. (SBU) Malawi Electoral Commission (MEC) Chair Justice Anastasia Msosa told DCM and Poloff Aug. 26 that preparations for the May 2010 local elections began soon after the MEC wrapped May 19 national elections. She recalled that the Commission made several public statements concerning the preparations. Justice Msosa confided, however, that the MEC had received informal instructions from senior GOM officials in June directing the MEC to cease talking about local elections. Msosa assured emboffs that the MEC was continuing to plan for holding elections as scheduled, but she stated clearly that the final say rested with the government. DCM inquired whether the constitution did not grant exclusive authority over elections to the MEC. The Chairperson replied that the GOM was a "major stakeholder," and that the MEC would not hold elections if the GOM did not want them. Msosa did not say which GOM official had told the MEC to stand down on election preparations, but did say she expected that an instruction to proceed with the elections would likely come through the office of Goodall Gondwe, the Minister of Local Government. She added that the MEC would be briefing the Parliament's Legal Affairs Committee in early September, and planned to address the issue of local elections in that forum.

[1](#)3. (U) BACKGROUND: Under Malawi's constitution, voters elect local councilors to represent rural wards in local assemblies as well as mayors in urban areas. Councils are charged with

preparing local development plans and requests for funding by national level authorities, among other functions. According to Chapter 5 of the constitution, local elections are to be held every five years in May in the year after presidential and parliamentary elections. During his first term, President Mutharika suspended local polls originally scheduled for May 2005, claiming that they would interfere with the GOM's emergency response to a severe drought and resulting food shortages.

#### ELECTION WATCHDOG GROUP PREPARES TO PUSH BACK

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¶4. (SBU) Malawi Electoral Support Network (MESN) Chair Aloisious Nthenda and Publicity Secretary Steven Duwa confirmed that they were aware of the halt in election preparations. Nthenda recalled that President Mutharika had postponed indefinitely the last round of local elections originally scheduled for 2005, and wondered aloud what excuse the GOM might offer for postponement of the elections this year. The MESN chair expressed concern that there was currently no effective parliamentary opposition to President Bingu wa Mutharika that could advocate for the elections. Nthenda and Duwa told emboffs they were preparing a public advocacy campaign to pressure the GOM to hold the local elections as stipulated by the constitution of Malawi. He asked for support from the USG or other donors for such a campaign. NOTE: MESN is an umbrella group of NGOs that fielded a successful, 800-person mission to monitor national elections in May with support from USAID through the National Democratic Institute. (Ref A)

#### COMMENT: LOCAL ELECTIONS A BELLWETHER

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¶5. (C) Senior GOM officials have in the past confided to emboffs that President Mutharika saw little use for another layer of government at the local level, given that district assemblies already operate with input from traditional village leaders and other stakeholders under the leadership of District Commissioners. In addition to these misgivings, the ruling party may prefer to postpone the new challenge of local elections so as to enjoy longer the momentum of its resounding win at the national level in May (Ref B). Nonetheless, Speaker of Parliament (and the ruling DPP's Secretary General) Henry Chimunthu-Banda told diplomatic chiefs of mission in mid-July that Malawi's 2009/10 budget allocated funding for local elections, and said he expected the polls to take place.

¶6. (C) Chapter 5 of Malawi's constitution states that MEC has the responsibility for elections, "...independent of any direction or interference by other authority or any person." MEC Chair Msosa's candid admission that she is awaiting instructions from the GOM to proceed is therefore somewhat troubling, though not surprising. Malawi demonstrated in the May 2009 parliamentary and presidential elections that it has made real progress in its effort to strengthen its democratic institutions. It will be important to continue this progress through successful conduct of local elections in 2010. Post will engage the GOM at senior levels to urge that it hold the local elections as mandated in Malawi's constitution.  
BODDE